



**Minutes on D-E NCA Advisory Council, June 1, 2011
Delta Center for the Performing Arts, Delta, CO**

Only three Advisory Council members present. Those attending:

- Chair Katie Steele of Grand Junction
- Vice-Chair William (Bill) Harris of Montrose
- Steve Acquafresca of Grand Junction

BLM staff attending: Katie Stevens, Andy Windsor, Ben Blom, and Brodie Farquhar.

Public audience: Janice Shepherd, Sherry Schenk, Eric Rechel, Marlin Littlefield, Gail Decamillo, Marty Genereux, Kent Davis, J. Potterveld, Ilene Lewis, Jan Burch, Joyce Olson, Ryan Swygman, Mark Ackerman.

Chairwoman Katie Steele called the meeting to order at 3 p.m. and noted there was not a quorum. Members expressed dismay that so many had missed the meeting. Steele said she would contact the missing members by phone or email and urge them to attend the June 15 meeting in Grand Junction.

D-E NCA Manager Katie Stevens, the designated federal official for the council, discussed the last meeting (May 18), where the Council continued to focus on Zone 2 or the Gunnison River. A PowerPoint presentation focused on water, vegetation, fish, wildlife and cultural sites. Much of the presentation and following public comments and Council discussions focused on recreation issues along the Gunnison River. Camp sites at the mouth of the Dominguez Canyon can be overcrowded with commercial and private river recreationists (canoeists, rafters and kayakers). At the same time, the Bridgeport footbridge allows improved access to Dominguez Canyon for hikers and equestrians, who have to walk/ride through the camp sites.

Annually, there are 4,000 user-days for river recreationists, while the footbridge has 7,300 hikers and horseback riders.

The Council consensus was that the Gunnison River requires more intensive management than Zone 1 (Hunting Grounds). Questions were raised as to whether restrictions are needed for motorized boats during the fall hunting season. Council recognized that management of the Dominguez Canyon mouth, some restrictions will be required, but emphasized the restrictions must be fair and applied across the board. Council suggested that the number and quality of camp sites above and below Dominguez be improved and suggested a stronger law enforcement presence at put-ins, to prevent vandalism and theft. Council discussed how visitation to D-E NCA will increase due to the NCA designation. Topics for

more research are gold prospecting and power boat use on the river. Although Council talks about recreation a great deal, members recognize that the area is a National *Conservation* Area, not a National *Recreation* Area, and that biological and cultural resources are important.

Gold prospecting

Gold prospector Marlin Littlefield talked to Council members about gold panning activities at Rattlesnake Gulch. Gold Prospecting Association of America club members (Olathe chapter) use gold pans, four-inch dredges and sluice boxes to process river gravels for gold – operating right in the river. Sometimes a high-bank sluice box with spray bar is used to wash and process the gravel from gravel bars above the river, which can then return processed gravel back into the gravel bar. BLM's Blom explained that in 2009, the agency found that gold extraction activity in Rattlesnake Park exceeded the definition of "casual use" because digging went beyond "no or negligible" damage to BLM resources. Holes dug in the bank created a public safety issue.

The hookless cactus, a threatened species under the Endangered Species Act, is found near the gravel bar, which contains gold-bearing sand and gravel. The BLM is legally obligated to protect the species' habitat, not just where it currently exists.

Is gold prospecting a legitimate use in a NCA? Is there a way to allow continued casual use gold extraction AND continue to protect the hookless cactus? Windsor suggested that a permit process, with stipulations about what can and cannot be done, could be developed.

Water fowl hunting

Ryan Swygman, a Division of Wildlife game warden, told the Council he has not seen much power boat activity on the Gunnison River, during duck and goose hunting seasons. Councilmember Aquafresca questioned whether there's a need to regulate such an infrequent activity.

Council business

Council member Acquafresca suggested that three-and-a-half hour meetings can discourage members from attendance. Stevens cautioned that three-hour meetings had been published in the Federal Register and that a change to two-hour meetings might also require a notice in the Federal Register.

WILD & SCENIC RIVERS

Windsor reviewed the Wild and Scenic River law and process for the Council members. He addressed:

- Eligibility criteria.
- Suitability criteria.
- Gunnison River stakeholder and environmental community recommendations regarding suitability.
- Designation decision by Congress.

To be eligible, a stream segment must be "free-flowing" and must have at least one "outstandingly remarkable value" or ORV. Stream segments can be classified as:

- Wild
- Scenic or
- Recreational

The eligibility report for D-E NCA found there were 11 segments on seven streams that were eligible. One section – Dry Fork of Escalante Creek – was found to not have a valid ORV, because the cottonwood/skunkbush community was less rare than initially thought.

The three questions to ask when determining suitability are:

1: Should this ORV be protected?

2: If yes, is W&S protection the best way to protect?

3: What are the politics of local support?

An additional 13 factors are considered, including No. 10 -- how much support or opposition is there in the community? The Gunnison River stakeholders clearly opposed to W&S status for any segment.

If any stream segment is judged to be suitable, BLM can make one of the following decisions:

- Recommend suitability.
- Not recommend suitability, or
- Defer the decision and manage the stream to protect the free-flowing nature and ORVs identified in the eligibility report.

Responding to Council and public questions, Windsor said that if suitability is not recommended, that stream segment would come off the eligibility list. If ORVs cannot be protected, then suitability goes back onto the table. Condemnation of property ONLY becomes a possible option IF Congress decides to designate a stream section for W&S status and protection, NOT before.

While many new environmental protections have been created since the advent of the Wild and Scenic River Act, the W&S R Act is the only tool that can protect a stream from dam construction.

Discussion: The BLM will use acreage calculations rather than mileage as a way to get a better understanding of public/private ownership along the Gunnison River. Council asked for more information from the environmental community, to explain suitability recommendations.

PUBLIC COMMENT:

Kent Davis said condemnation of private property is a big, scary issue to him. A downstream W&S designation by Congress could impact all upstream water.

Jan Shepherd asked BLM for improved signage of riverside camp sites, even posting GPS coordinate on the internet. Suggested hikers and equestrians camp up-canyon only, from mouth of Dominguez Canyon camp sites.

Jan Potterveld said he was surprised by the non-suitability recommendation from environmental groups, given to Rose Creek. Blom suggested that might be a misunderstanding, as the water rights for Dominguez streams also applies to Rose Creek.

Marty Genereux said he was sentimental about conditions at the mouth of Dominguez Canyon, a decade ago, before the new footbridge at Bridgeport. Visitors only got there through effort, giving them a sense of adventure and accomplishment. The footbridge allows more traffic than the area can handle.

Harris: we used to sneak across bridge. Tolerated. BLM's hand forced. Steele: been going on foot.

Marty: have no exclusive rights. Bridge allows more traffic than area can handle. Don't know the answer. Still on board, do what we need to do. Can do better.

Next meeting at Mesa County Courthouse Annex in Grand Junction:

A review of Wild and Scenic River process and an intro to Cactus Park.